

Equal Employment Opportunity Data Posted
Pursuant to Title III of the Notification and Federal Employee
Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. 107-174
Department of Health and Human Services
Centers for Medicare & Medicaid Services
For 4th Quarter Period Ending September 30, 2009
Date Last Updated: October 6, 2009

Complaint Activity	Comparative Data					2009
	Previous Fiscal Year Data					
	2004	2005	2006	2007	2008	
Number of Complaints Filed	29	37	23	29	25	31
Number of Complainants	29	31	22	27	25	30
Repeat Filers	0	4	1	2	1	1

Complaints by Basis	Comparative Data					2009
	Previous Fiscal Year Data					
	2004	2005	2006	2007	2008	
<i>Note: Complaints can be filed</i>						
Race	21	20	12	14	11	16
Color	1	1	4	4	0	1
Religion	3	3	0	3	0	2
Reprisal	11	25	14	12	15	13
Sex	13	19	9	12	12	11
National Origin	2	0	1	1	2	1
Equal Pay Act	1	1	0	0	1	0
Age	10	19	12	16	16	13
Disability	8	5	5	5	9	8
Non-EEO	0	0	0	0	1	1

Complaints by Issue	Comparative Data					2009
	Previous Fiscal Year Data					
<i>Note: Complaints can be filed</i>	2004	2005	2006	2007	2008	
Appointment/Hire	1	2	1	0	1	0
Assignment of Duties	4	8	6	6	2	8
Awards	1	5	3	4	1	0
Conversion to Full-time	0	0	0	0	0	0
Disciplinary Action						
Demotion	0	0	0	0	0	0
Reprimand	2	3	0	4	3	0
Removal	0	0	0	0	1	0
Suspension	0	0	1	0	2	0
Other	0	0	2	2	4	2
Duty Hours	1	0	0	0	0	0
Evaluation Appraisal	1	2	3	2	8	6
Examination/Test	0	0	0	0	0	0
Harassment						
Non-Sexual	3	12	10	12	21	17
Sexual	0	0	0	0	2	1
Medical Examination	0	0	0	0	0	0
Pay (Including Overtime)	1	1	1	0	4	2
Promotion/Non-Selection	16	13	7	18	6	8
Reassignment						
Denied	0	3	2	2	0	0
Directed	2	4	1	1	2	0
Reasonable Accommodation	4	2	2	3	4	5
Reinstatement	0	0	0	0	0	0
Retirement	0	0	0	0	0	1
Termination	2	6	1	1	0	2
Terms/Conditions of Employment	0	6	2	2	2	2
Time and Attendance	1	3	2	2	2	1
Training	2	0	3	1	2	2
Other	1	0	0	1	1	0

Processing Time	Comparative Data					
	Previous Fiscal Year Data					2009
	2004	2005	2006	2007	2008	
Complaints pending during fiscal year						
Average number of days in investigation stage	100.14	97.35	35.24	113.14	123.49	134.19
Average number of days in final action stage	55	47	218.8	177	70.31	155.3
Complaints pending during fiscal year where hearing was requested						
Average number of days in investigation stage	104	94	92.69	112.86	120.47	130.64
Average number of days in final action stage	27	26	31	26.5	18.33	20.33
Complaints pending during fiscal year where hearing was not requested						
Average number of days in investigation stage	99	86	97.65	113.4	126.67	136.8
Average number of days in final action stage	99	74	307.18	478	114.86	357.75

Complaints Dismissed by Agency	Comparative Data					2009
	Previous Fiscal Year Data					
	2004	2005	2006	2007	2008	
Total complaints dismissed by Agency	2	5	2	6	1	6
Average days pending prior to dismissal	10	16	240	42	65	40
Complaints Withdrawn by Complainants						
Total complaints withdrawn by complainants	8	5	4	2	6	4

Total Final Actions Finding Discrimination	Comparative Data											
	Previous Fiscal Year Data											
	2004		2005		2006		2007		2008			
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings	0		0		2		0		0		0	
Without Hearing	0	0	0	0	0	0	0	0	0	0	0	0
With Hearing	0	0	0	0	0	100	0	0	0	0	0	0

[illegible]

Disability	0	0	0	0	1	50	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0
Findings After Hearing												
Race	0	0	0	0	1	50	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	1	50	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	1	50	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0
Findings Without Hearing												
Race	0	0	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0
Non-EEO	0	0	0	0	0	0	0	0	0	0	0	0
Findings of Discrimination Rendered by Issue	Comparative Data										2009	
	Previous Fiscal Year Data											
	2004		2005		2006		2007		2008			
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings	0		0		2		0		0		0	
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action	0	0	0	0	0	0	0	0	0	0	0	0
Demotion	0	0	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	1	50	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal	0	0	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment	0	0	0	0	0	0	0	0	0	0	0	0
Non-Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0
Pay (Including Overtime)	0	0	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	0	0	0	0	0	0	0	0
Reassignment	0	0	0	0	0	0	0	0	0	0	0	0
Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	1	50	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
Findings After Hearing	0	0	0	0	2	50	0	0	0	0	0	0
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action	0	0	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	1	50	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal	0	0	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment	0	0	0	0	0	0	0	0	0	0	0	0
Non-Sexual	0	0	0	0	0	0	0	0	0	0	0	0

Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0
Pay (Including Overtime)	0	0	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	0	0	0	0	0	0	0	0
Reassignment	0	0	0	0	0	0	0	0	0	0	0	0
Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	1	50+	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0

Findings Without Hearing	0	0	0	0	0	0	0	0	0	0	0	0
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action	0	0	0	0	0	0	0	0	0	0	0	0
Demotion	0	0	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal	0	0	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment	0	0	0	0	0	0	0	0	0	0	0	0
Non-Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0
Pay (Including Overtime)	0	0	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	0	0	0	0	0	0	0	0
Reassignment	0	0	0	0	0	0	0	0	0	0	0	0
Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0

Pending Complaints Filed in Previous Fiscal Years by Status	Comparative Data					2009
	Previous Fiscal Year Data					
	2004	2005	2006	2007	2008	
Total complaints from previous fiscal years	3	10	7	12	27	21
Total complainants						
	3	10	7	11	26	21
Number Complaints Pending						
Investigation	0	0	0	0	0	0
ROI issued, pending						
Complainant's action	0	0	0	0	0	0
Hearing	2	3	7	3	4	6
Final Action	0	5	0	1	0	0
Appeal with EEOC Office of Federal Operations	1	2	0	8	5	7

N/A denotes data not available for CMS in that category.

Complaint Investigations	Comparative Data					2009
	Previous Fiscal Year Data					
	2004	2005	2006	2007	2008	
Pending complaints where investigation exceeds required time frames	0	0	0	0	0	0